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Lambda Letters Project

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Count Me In!

By Allan Robin, Development Director

If you're like me, you probably love to express your opinions about things that mean a lot to you—or even things you are simply familiar with.

Most of us want to feel that we have great ideas that can make a difference, whether at work or in personal or professional relationships or even neighborhood associations.

Now you have a *great* opportunity to be heard. We at the Lambda Letters Project want to hear from you about what you believe are some very important issues to us.

What do you think of the work we do? What do you think of the newsletter you receive each month? What do you think of our website? Do you even know we have a website?

Included in this month's mailing is a questionnaire that we hope you'll take a few minutes to complete and return to us along with your signed letters.

You are the reason we do what we do. We want to know what you think.

If you have any thoughts you'd like to share with us beyond what the survey covers, please feel free to call us at (916) 446-4660 or write us at Lambda Letters Project, 920 20th Street, Suite 100, Sacramento, CA 95814.

We're counting you in!

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AB 19: It's Not Over Yet!

By Boyce Hinman, Chief Lobbyist

As you probably know by now, AB 19 (Gender-Neutral Marriage) was defeated on the State Assembly floor in the first week of June. This is the bill that would have allowed same-sex couples to obtain marriage licenses in California. The purpose of this article is to give the details of what happened and what we can do about it. I hope you will read to the end of the article and then do what you can to make sure we do finally win this battle.

The bill needed 41 yes votes for passage in the Assembly. It fell four votes shy of that mark. The Republicans were unified in their opposition to the bill. But 10 Democrats failed to vote for the bill. Five of them actually voted against AB 19:

Juan Arambula, D-Fresno
Joe Baca, D-San Bernardino
Barbara Mathews, D-Stockton
Nicole Para, D-Bakersfield
Juan Vargas, D-Chula Vista

Five Democrats abstained from voting:

Mervyn Dymally, D-Compton
Jerome Horton, D-Inglewood
Gloria Negrete McCleod, D-Montclair
Simon Salinas, D-Salinas
Tom Umberg, D-Santa Ana

Since 41 yes votes were needed for passage, their abstentions were just as harmful as the no votes.

Although the bill died, we should first acknowledge that we made very significant progress on it this year. Last year the Assembly leadership opposed the bill entirely. This year the Assembly speaker was a coauthor of the bill. Last year the bill died after being approved by only one committee. This year it was approved by two Assembly committees and came within just four votes of winning in the Assembly.

AB 19 is a very controversial bill. The whole concept of allowing gay marriage was first introduced in the state legislature only last year. It may not seem so, but the fact that such a controversial bill went so far on only the second try is really quite encouraging.

Even so, we need to plan for next year and do all we can to try to solve the problems that defeated the bill this year. The Democrats who failed to vote for the bill say they were getting many more letters, e-mails, and phone calls from opponents of AB 19 than from supporters.

So Lambda Letters is considering a solution to that problem—and we need your help to pull it off. We have the names and contact information from the over 58,000 people who have registered as domestic partners in California. These people are highly likely to support the concept of same-sex marriage.

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Lambda Letters Progress Report

Letters and Messages Collected

May, 2005	87,650 letters & e-mails
In all of 2005	197,777 letters & e-mails

Dollars Spent

May, 2005	\$4,525
In all of 2005	\$23,346

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Our Mission

To promote the social, economic, and human rights of lesbian, gay, bisexual, transgender and intersex individuals, couples, and families; people affected by HIV/AIDS; people of color; and women. We do this by urging elected officials to enact and support legislation that accomplishes this goal.

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Discrimination Complaints

Have you experienced employment discrimination because of your actual or perceived sexual orientation or because of your age (40 and over), ancestry, color, creed, disability, marital status, medical condition, national origin, race, religion, or sex? Have you been denied family and medical leave or pregnancy disability leave? If so, you may register a complaint with the Department of Fair Employment and Housing.

In cases of employment discrimination, call the department at (800) 884-1684.

In cases of housing discrimination, call (800) 233-3212. The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

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End Wage Discrimination: Onward

By Kathleen Watanabe, Legislative Analyst

This month we are revisiting a bill that we asked you to support in June. Thanks in part to your support, AB 169 may soon get out of committee and be voted on by the full Senate.

Here is some background on the issue: AB 169 concerns the wage gap that still exists between men and women, even though it has been over 40 years since the passage of the Equal Pay Act. It addresses the wage and employment discrimination that persists, illegally, at an intolerable level. According to the Census Bureau in 2004, women on average earn 76 cents for each dollar paid to their male counterparts.

Over a working lifetime, this wage disparity costs the average American woman an estimated \$523,000 in lost wages. This disparity impacts her negatively not only in the short term, but in the long term as well. It impacts her Social Security benefits and pension.

African-American women are paid only 65 cents for every dollar received by white men, while Hispanic women are paid only 53 cents to the dollar. This wage inequality affects particularly families in which women are the only income earners—single women, divorced women, and widows.

Women still do not receive equal pay for equal work, let alone equal pay for comparable work. According to an analysis of data in over 300 classifications provided by the U.S. Department of Labor Statistics in 2001, women earn less in every occupational classification for which enough data is available, including occupations dominated by women (for example, cashiers, retail sales, registered nurses, and teachers).

Assemblymember Jenny Oropeza (D-Carson) authored AB 169 to help address this problem in California. It amends the California Labor Code to strengthen individuals' private right of action to recover costs of pay discrimination. If an employer has been found to have discriminated, the employee would be entitled to recover the balance of the unpaid

Seek an African-American HIV/AIDS Initiative

By Joy Fisher, Legislative Analyst

HIV and AIDS are often associated with the gay community. In fact, however, they are hitting the African-American community much harder than other communities.

For example, according to a Centers for Disease Control report of a study of AIDS in 32 states, African-Americans were 13 percent of the population studied but accounted for 51.3 percent of AIDS diagnoses.

The AIDS case rate for African-American women is particularly alarming. In California, it is 20 times the rate for white women.

In Alameda County, where African-Americans make up 14.6 percent of the population, they account for 48 percent of the AIDS cases, including 71 percent of all female AIDS cases. African-American men account for 41 percent of all male AIDS cases and teens account for 42 percent of all cases diagnosed in teens.

Another example illustrating the disproportionate share of HIV/AIDS found in the African-American population is Los Angeles County, where there are 81 cases of AIDS per 100,000 African-Americans, compared with 36 cases per 100,000 Latinos or 33 cases per 100,000 whites.

AB 1142 by Mervyn Dymally (D-Compton) proposes to deal with this crisis by establishing the Statewide African-American Initiative. The purpose of this initiative would be to coordinate prevention and treatment services in networks of agencies that serve the African-American community in five regions around the state: Alameda/San Francisco, Los Angeles, Sacramento/Central Valley, San Bernardino/Riverside, and San Diego.

The bill would enable these agencies to serve their constituents more effectively by providing a clearinghouse that agencies could go to for information on HIV/AIDS research, sources of funding, and technical assistance, among other things.

Ensure Equal Opportunities

By Marty Martinez, Legislative Analyst

Racial injustice and employment discrimination continues to be a fact of life for California's communities of color. Proposition 209 created a hurdle for advancing equality by eliminating affirmative action.

However, there are aggressive steps that the state could still take, within the boundaries created by Prop. 209, to advance economic parity.

Strong outreach, recruitment, and retention by government agencies is one way of doing this.

These are ideas behind AB 124 by Assemblymember Mervyn Dymally (D-Compton).

AB 124 requires each state agency to establish an Equal Opportunity program to ensure equal access to state jobs and training. Each agency will also have to collect statistical information on workforce diversity and document cases of discrimination or unequal treatment.

The State of California employs nearly 220,000 workers, 46 percent of whom are people of color. There are approximately 1,500 job discrimination complaints filed annually. California is one of the nation's first states to have people of color in the majority. Within the next six years, 61 percent of Californians will be people of color.

Research in health, education, housing, and criminal justice reveals systemic, adverse outcomes for communities of color.

Public policies must work to close these racial disparities and advance a fair and just society.

Please sign the sample letter, or write your own, expressing your support for this important piece of legislation that impacts thousands of people across the state. 

Expand Medical Leave

By Shirin Buckman, Legislative Analyst

This month, please write the Assembly Committee on Labor and Employment to support SB 300 by Sheila Kuehl (D-Los Angeles). SB 300 amends the Moore-Brown-Roberti Family Rights Act, including more individuals as criteria for family leave. This legislation is important for several reasons.

First, SB 300 would make it illegal for an employer to deny an employee 12 weeks of unpaid, protected family leave to care for a physically or psychologically ill adult dependent child, grandparent, sibling, or domestic partner. Current law does not include those individuals as criteria for protected family leave. Including adult children, grandparents, siblings, and domestic partners has far-reaching implications for every Californian. SB 300 not only legally elevates a domestic partner to a family member but it allows the employee to sue an employer should the employer deny family leave. Employers will also be required to inform employees that adult children, grandparents, siblings, and domestic partners are included as criteria for sick leave.

Second, under existing law, any employer can require an employee to provide a note from a healthcare provider before the employer grants a request for leave. SB 300 guarantees privacy rights by prohibiting employers from requiring employees to obtain a doctor's note as a condition of granting leave. By amending the current requirement, the employer could be prevented from possible discrimination, such as if a loved one was dying of AIDS or having a gender-changing operation. Current law would allow the employer to know the exact procedure being done and the course of treatment.

Third, SB 300 protects small business owners. It would allow an employer to deny a request for

family care and medical leave if the company employs fewer than 50 employees within 75 miles of the worksite. In addition, while the employer is not required to provide direct medical care with the family member, the employer is not necessarily required to grant leave if the employee is not providing

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July Legislative Update

July 15 through August 15 is officially a period of summer recess for the state legislature. Officially, no legislative committee meetings occur during the recess. However, if the legislators are still waiting around for the budget to be approved, they may go ahead and convene some committee meetings to discuss and vote on some of the bills before the legislature.

Here is the latest status report on the bills we have been working on.

HIV/AIDS Issues

AB 73 (Dario Frommer, D-Los Angeles)

Purpose: To establish the California Rx Prescription Drug Web Site Program, which would provide information to California residents about options for obtaining prescription drugs at affordable prices. This bill would require the Web site, at a minimum, to provide information about—and establish electronic links to—certain federal, state, and pharmaceutical programs, and pharmacies that are located in Canada, the United Kingdom, and Ireland that meet specified requirements.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a committee yet.

LLP Position: Support.

AB 95 (Paul Koretz, D-West Hollywood)

Purpose: To require manufacturers of drugs for life-threatening chronic conditions that are on the list for Medi-Cal or the AIDS Drugs Assistance Program to pay the state a rebate equal to the costs of marketing that drug. The bill also would require these manufacturers to disclose to the state all costs incurred in the marketing of the drugs to consumers and physicians.

Status: Failed in the Assembly Appropriations Committee.

LLP Position: Support.

AB 228 (Paul Koretz, D-West Hollywood)

Purpose: To prohibit a healthcare service plan and a health insurer from denying coverage for the costs of organ or tissue transplantation services on the basis that the enrollee, subscriber, insured, or policyholder is infected with HIV.

Status: Approved by the Assembly. Sent to the Senate Banking Committee for a vote on June 15. Hearing cancelled. No new date set yet.

LLP Position: Support.

AB 547 (Patty Berg, D-Eureka)

Purpose: To allow local governments to establish and maintain clean needle and syringe exchange programs without having to declare a health state of emergency every two weeks.

Status: Approved by the Assembly. Referred to the Senate Health Committee for a vote on June 22.

LLP Position: Support.

AB 568 (Bonnie Garcia, R-Cathedral City)

Purpose: To require HIV testing to be offered to women at annual obstetrics-gynecology appointments and at first prenatal appointments.

Status: Died in Assembly Appropriations Committee.

LLP Position: Support.

AB 654 (Patty Berg D-Eureka)

Purpose: To allow an adult who meets certain qualifications, and who has been determined by his or her attending physician to be suffering from a terminal disease, as defined, to make a request for medication for the purpose of ending his or her life in a humane and dignified manner.

Status: Placed in Assembly inactive file. Is a two-year bill. No action will be taken on it until next year.

LLP Position: Support.

AB 1142 (Mervyn Dymally, D-Compton)

Purpose: To establish a statewide African-American HIV/AIDS Initiative to address the disproportionate impact of HIV/AIDS on the health of African-Americans by coordinating prevention and service networks around the state and increasing the capacity of core service providers. The initiative would be implemented in five regional centers.

Status: Approved by the Senate Health Committee. Referred to the Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 1677 (Paul Koretz, D-West Hollywood)

Purpose: To require state prisons to allow nonprofits or healthcare agencies to distribute condoms and dental dams to prisoners in state prisons.

Status: Approved by the Assembly. Sent to the Senate Public Safety Committee for a vote on June 28.

LLP Position: Support.

SB 945 (Nell Soto, D-Pomona)

Purpose: To enact legislation requiring the state to collect HIV test results, for epidemiological purposes only, in a manner that satisfies the needs of the federal Centers for Disease Control and Prevention to ensure maximum accuracy of the data. This involves including the name of the person being tested in the record, as now required by the federal government.

Status: Died in the Senate.

LLP Position: Changed to oppose because of new information brought to our attention.

LGBTI Issues

AB 12 (Chuck Devore, R-Irvine)

Purpose: To ask the California Law Revision Commission to study the feasibility of a law to provide that real property (such as a home) may be transferred to a beneficiary upon the death of the owner by recording, prior to the owner's death, a beneficiary deed signed by the owner of the property interest. Property transferred this way would not have to go through the long, expensive probate process.

Status: Approved by the Assembly. Sent to the Senate Judiciary Committee. No hearing date set yet.

LLP Position: Support.

AB 19 (Mark Leno, D-San Francisco)

Purpose: To allow same-sex couples to obtain marriage licenses in California and to establish that no clergy or religious organization can be required to solemnize any marriage to which they have a religious objection.

Status: Died in the Assembly.

LLP Position: Support.

AB 195 (Mervyn Dymally, D-Compton)

Purpose: When the State Personnel Board finds that a public employee (or an applicant for public employment) has been discriminated against by his or her employer in ways that are forbidden by state law, it may order that the employee be hired, reinstated, or upgraded with or without back pay and compensatory damages. Discrimination on the basis of sexual orientation or gender identity are among the prohibited forms of discrimination. This bill would permit the State Personnel Board to award attorneys fees to the complainant.

Status: Approved by the Assembly. Sent to the Senate Judiciary Committee for a vote on June 28.

LLP Position: Support.

AB 220 (Mark Leno, D-San Francisco, Chair, Committee on Public Domestic Violence)

Purpose: To amend several codes' sections that refer to "battered woman syndrome" and change those references to "intimate partner battering." This bill would therefore help members of LGBTI couples who are subject to this battering.

Status: Awaiting a final vote on the Senate floor.

LLP Position: Support.

AB 378 (Judy Chu, D-Monterey Park)

Purpose: All persons in California have the right to be free from any violence, or intimidation by threat of violence, because of their race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability, or position in a labor dispute, or because another person perceives them to have any of those characteristics. Existing law allows an attorney general, district attorney, city attorney, or aggrieved individual to bring a civil action against any person who interferes by threats, intimidation, or coercion, with the exercise or enjoyment of an individual's rights. This bill would increase the statute of

limitation for the initiation of such an action from one year to three years.

Status: Awaiting a final vote on the Senate floor.

LLP Position: Support.

AB 723 (Judy Chu, D-Monterey Park)

Purpose: To require school districts to provide classes in tolerance for all the groups covered by California's hate crimes laws.

Status: Approved by the Assembly. Sent to the Senate. Referred to the Senate Education Committee for a vote on June 29.

LLP Position: Support.

AB 866 (Leland Yee, D-San Francisco)

Purpose: Current law has a form statement that candidates for political office may sign on a voluntary basis. It is a pledge to engage in a fair and clean campaign. This bill would amend the pledge to include a statement that the candidate will not use, or permit to be used, any appeal to negative prejudice based on sexual orientation or gender identity.

Status: Approved by the Senate Elections and Reapportionment Committee. Sent to the Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 1400 (John Laird, D-Santa Cruz)

Purpose: To amend the Unruh Civil Rights Act to prohibit discrimination on the basis of familial status, marital status, and sexual orientation.

Status: Approved by the Assembly. Sent to the Senate Judiciary Committee for a vote on June 28.

LLP Position: Support.

AB 1586 (Paul Koretz, D-West Hollywood)

Purpose: To prohibit health insurance providers from refusing to insure transgender people.

Status: Approved by the Assembly. Sent to the Senate Insurance Committee for a vote on June 15. Hearing postponed until June 29.

LLP Position: Support.

SB 181 (Carole Migden, D-San Francisco)

Purpose: To ban discrimination based on sexual orientation or gender against members of the state Military Reserve, state Naval Militia, or a person on state active duty.

Status: The bill is dead.

LLP Position: Support.

SB 243 (Bob Dutton, R-Rancho Cucamonga)

Purpose: To authorize a credit against state income taxes in an amount equal to the amount paid for property taxes during the taxable year on the primary residence of a person or spouse of a person who, during that taxable year, was deployed in a combat or war zone.

Status: The bill is dead.

LLP Position: Support if domestic partner added alongside spouse.

SB 300 (Sheila Kuehl, D-Los Angeles)

Purpose: To increase the circumstances under which an employer must allow an employee to

take up to 12 weeks of unpaid leave to care for a seriously ill family member. The need to care for a domestic partner would be added to the list, among others.

Status: Approved by the Senate. Sent to the Assembly Labor and Industrial Relations Committee. No hearing date set yet.

LLP Position: Support.

SB 973 (Sheila Kuehl, D-Los Angeles)

Purpose: To entitle employees of state and local governments (and school districts) who retired prior to January 1, 2001, to elect or change any optional retirement allowance, if specified criteria are satisfied. This would apply to their domestic partners too.

Status: Approved by the Senate. Sent to the Assembly PERS committee for a vote on June 22.

LLP Position: Support.

People of Color Issues

AB 13 (Jackie Goldberg, D-Los Angeles)

Purpose: To prohibit, with certain exceptions, public schools from using the name "Redskins" as a school or team mascot, name, or nickname.

Status: Approved by the Senate Education Committee. Sent to the Senate Appropriations Committee for a vote on June 27.

LLP Position: Support.

AB 15 (Jerome Horton, D-Inglewood)

Purpose: To encourage schools to include a discussion of the contributions of Filipinos to the war effort during World War II.

Status: Approved by the Assembly. Sent to the Senate Education Committee for a vote on June 29.

LLP Position: Support.

AB 22 (Sally Lieber, D-San Jose)

Purpose: To establish the crime of trafficking of a person for forced labor or services and the crime of trafficking of a minor for sexual servitude, both punishable as felonies. This bill would also require restitution to trafficking victims. It would also require the Attorney General to make fighting human trafficking a high priority.

Status: Approved by the Assembly. Sent to the Senate Public Safety Committee for a vote on June 21.

LLP Position: Support.

AB 41 (Leland Yee, D-San Francisco)

Purpose: To establish the crime of trafficking of a person for forced labor or services and the crime of trafficking of a minor for sexual servitude, both punishable as felonies. This bill would also require restitution to trafficking victims.

Status: Died in the Assembly.

LLP Position: Support.

AB 74 (Mike Gordon, D-El Segundo)

Purpose: To establish the California Prescription Telephone Drug Hotline, which would provide

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Legislative Update

Continued from page 5

information to consumers and healthcare providers about options for obtaining prescription drugs at affordable prices. People would call a low-cost (maximum 50 cents) toll phone number.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a committee yet.

LLP Position: Support if amended to make the hotline available through a toll-free number.

AB 75 (Dario Frommer, D–Los Angeles)

Purpose: To establish the California Rx Plus State Pharmacy Assistance Program, which would provide low-cost drugs to low-income Californians. This bill would authorize the state to negotiate drug rebate agreements with drug manufacturers to provide for program drug discounts. Would authorize any licensed pharmacy or drug manufacturer to provide services under the program.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a committee yet.

LLP Position: Support.

AB 76 (Dario Frommer, D–Los Angeles)

Purpose: To establish the Office of Pharmaceutical Purchasing within the California Health and Human Services Agency with authority and duties to purchase prescription drugs for state agencies. This bill would authorize the office to negotiate the lowest prices possible for prescription drugs.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a committee yet.

LLP Position: Watch over concerns whether this is the most efficient way to reduce costs and also ensure that all necessary medications are available to patients.

AB 77 (Dario Frommer, D–Los Angeles)

Purpose: To establish a pilot project requiring the Department of Corrections to contract with outside agencies to provide healthcare services, including medications, to prison inmates. The purpose of the pilot project would be to see if it would reduce the department's costs.

Status: Approved by the Assembly. Sent to the Senate Health Committee for a vote on June 29.

LLP Position: Support.

AB 117 (Rebecca Cohn, D–Campbell)

Purpose: Bill amended to deal with auto ignition switches.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a committee yet.

LLP Position: Neutral. No longer relates to one of our issues.

AB 122 (Todd Spitzer, R–Orange)

Purpose: To require all child daycare facilities not subject to existing liability insurance or bond requirements to maintain sufficient liability insurance or a bond to cover injury to clients and guests, or else to tell parents that they do not have insurance.

Status: Failed in the Assembly Appropriations Committee.

LLP Position: Watch. This could run mom-and-pop daycare centers out of business.

AB 124 (Mervyn Dymally, D–Compton)

Purpose: To require each state agency to establish an equal opportunity program to ensure that the state policy of providing equal access to state jobs, work assignment, training, and other employment-related opportunities for all qualified job applicants and employees—based on merit and nondiscrimination in every aspect of personnel policies and employment practices—is fully implemented. It would require the State Personnel Board to collect employment data based on race, ethnicity, and gender.

Status: Approved by the Assembly. Sent to the Senate Judiciary Committee for a vote on June 28.

LLP Position: Support.

AB 125 (Mervyn Dymally, D–Compton)

Purpose: To make the punishment the same for possession of either cocaine base or powder. Currently the punishment for possessing base is greater. Cocaine base is less expensive and is more common in communities of color than in white communities.

Status: Failed on the Assembly floor.

LLP Position: Support.

AB 237 (Juan Arambula, D–Fresno)

Purpose: Existing law requires the Department of Housing and Community Development to make grants or loans to local public entities, nonprofit corporations, and limited partnerships for the construction or rehabilitation of housing for agricultural employees and their families. Existing law also requires that grants and loans be matched by the grantee with at least equal amounts of federal moneys, other cash investments, or in-kind contribution. This bill would authorize the department to forgive a loan if it determines that forgiveness is necessary to the financing or continued viability of housing pursuant to this program. It would also authorize the department to waive the matching requirement for migrant housing funded by specified bond funds if the department finds that the waiver is necessary to ensure that the housing can be financed.

Status: The bill is dead.

LLP Position: Support.

AB 368 (Noreen Evans, D–Santa Rosa)

Purpose: To require the state and counties to provide various welfare-to-work services and childcare services, maintain a safety net for children, encourage and assist family stability and unity, and assist and serve eligible legal aliens.

Status: Approved by the Assembly. Sent to the Senate Human Services Committee for a vote on June 28.

LLP Position: Support.

AB 379 (Noreen Evans, D–Santa Rosa)

Purpose: To allow the following activities to be counted toward the 20-hours-per-week core activity requirement of the CalWORKs program: satisfactory progress in a secondary school or in a course of study leading to a certificate of general education development, vocational education and training, secondary school or general educational development, or other activities necessary to assist an individual in obtaining unsubsidized employment.

Status: Approved by the Assembly. Sent to the Senate Human Services Committee for a vote on June 28.

LLP Position: Support.

AB 408 (Van Tran, R–Dana Point)

Purpose: To repeal provisions requiring the state to investigate discrimination in lending practices for purchases of housing accommodations.

Status: The bill is dead.

LLP Position: Oppose.

AB 432 (Jenny Oropeza, D–Long Beach)

Purpose: To increase the number of places and the time in which new citizens may register and vote. Also reduces the time before election day they must have become a citizen in order to register and vote.

Status: Approved by the Assembly. Sent to the Senate Elections Committee for a vote on July 6.

LLP Position: Support.

AB 469 (Leland Yee, D–San Francisco)

Purpose: To require the state to seek a waiver allowing it to pay for otherwise Medi-Cal covered services when provided to beneficiaries residing in supportive housing run by local governments.

Status: The bill is dead.

LLP Position: Support.

AB 477 (Joe Baca, D–San Bernardino)

Purpose: To allow certain providers of in-home supportive services to people on public assistance to purchase health insurance coverage for their employees and employees' families (including domestic partners) through the Public Employees' Medical and Hospital Care Act, if the coverage is eligible for maximum federal financial participation. There would be limits on state financing of the coverage.

Status: Approved by the Assembly. Sent to the Senate Labor Committee for a vote on June 22.

LLP Position: Support.

AB 482 (Loni Hancock, D–Berkeley)

Purpose: To require that certain limited-English students take an achievement test in English and then again in their native language.

Status: Approved by the Assembly. Sent to the Senate Education Committee for a vote on June 29.

LLP Position: Watch.

AB 503 (Sally Lieber, D–Santa Clara)

Purpose: To require the state to prepare a bill of rights that includes specified rights and to ensure

that each county provides each CalWORKs recipient a copy of that bill of rights in his or her native language.

Status: Failed in Assembly Appropriations Committee.

LLP Position: Support.

AB 680 (Wilma Chan, D–Oakland)

Purpose: Current law requires school districts with large language minority student populations to translate, into that minority language, all reports, notices, statements, and other documents sent to parents or guardians of those students. This bill would require the State Board of Education to monitor compliance with this law.

Status: Approved by the Assembly. Sent to the Senate Education Committee for a vote on June 29.

LLP Position: Support.

AB 683 (Simon Salinas, D–Salinas)

Purpose: To state the intent of the Legislature to create a primary care insurance program for chronically and historically uninsured industries in the state.

Status: The bill is dead.

LLP Position: Watch. Probably support.

AB 775 (Leland Yee, D–San Francisco)

Purpose: To prohibit any state or local governmental agency, or any public or private agency that receives state funding, from using any child, or permitting any child to be used, as an interpreter, as defined, in any hospital, clinic, or physician office in the context of diagnosis and treatment, except as specified.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a committee yet.

LLP Position: Support.

AB 855 (Karen Bass, D–Los Angeles)

Purpose: To provide that, with certain exceptions, a person convicted of drug-related felonies shall be eligible to receive CalWORKs or food stamp benefits if he or she meets certain conditions of eligibility. Does not apply to drug dealers or those who persuade minors to be drug dealers.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a committee yet.

LLP Position: Support.

AB 1215 (Mark Wyland, R–Del Mar)

Purpose: To require schools to provide parents requesting a waiver from English-immersion schooling for their child with information about certain test score data of English learner pupils enrolled in bilingual education classes, and to require the parent to sign a document stating that he or she understands the information. The bill would prohibit teachers and administrators from recommending that a pupil receive bilingual education instead of English-immersion instruction.

Status: The bill is dead.

LLP Position: Oppose.

AB 1338 (Joe Nation, D–San Rafael)

Purpose: To require that a dependent child of the court who is not a citizen of the United States and for whom the court has determined parental reunification is no longer an option, be provided an attorney specializing in immigration law who may pursue special immigrant status or any other avenue to obtain legal permanent resident status or citizenship for that child.

Status: Approved by the Assembly. Sent to the Senate Judiciary Committee for a vote on June 28.

LLP Position: Support.

AB 1465 (Dennis Mountjoy, R–Monrovia)

Purpose: To bar state prison staff, other than a physician, from interfering with the delivery of a treatment prescribed by a physician unless imminent risk of bodily harm to the physician, staff, or inmate requires alternate or modified procedures.

Status: The bill is dead.

LLP Position: Support.

ACA 6 (Mark Wyland, R–Vista)

Purpose: To amend the state constitution to prohibit the state from issuing any driver's license or state identification card, providing in-state tuition or fees for postsecondary education, granting any voting privileges, or providing any health, social, or other state or local public benefit to any person who is neither a citizen of the United States nor any alien lawfully present in the United States, unless the privilege, service, or the benefit is required by federal law.

Status: Referred to the Assembly Judiciary Committee for a vote on June 28.

LLP Position: Oppose.

ACAX1 4 (Rick Keene, R–Chico)

Purpose: To amend the state constitution to require that reductions be imposed automatically on all General Fund appropriations enacted on or before the date of a proclamation by the governor that the state's income and expenses are significantly out of balance. The amounts of the cuts would be by a percentage estimated by the Director of Finance to cause total General Fund appropriations not to exceed General Fund revenues by the end of that fiscal year. The cuts would go into effect 45 days after the proclamation unless state legislators pass legislation to address the problem prior to that 45-day deadline.

Status: Referred to the Assembly Budget Process Committee. No hearing date set yet.

LLP Position: Oppose. Arbitrary, statewide cuts to all programs could be devastating to vital programs.

ACR 3 (Rebecca Cohn, D–Campbell)

Purpose: To proclaim May 2–8, 2005, as California Holocaust Memorial Week and urge Californians to observe these days of remembrance for the victims of the Holocaust in an appropriate manner.

Status: Signed by the governor.

LLP Position: Support.

AJR 1 (Rudy Bermudez, D–Bellflower)

Purpose: To memorialize the president and Congress to urge the Citizens' Stamp Advisory Committee and the United States Postal Service to issue a commemorative stamp to honor Dr. Dalip S. Saund, an outstanding immigrant from India. This bill would encourage Californians to celebrate his birthday each year.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a committee yet.

LLP Position: Support.

AJR 2 (Noreen Evans, D–Santa Rosa)

Purpose: To memorialize the president and Congress to honor the contributions of Filipino-American war veterans and direct the federal government to immediately pay promised veterans' benefits as the first order of business of the 109th Congress.

Status: Approved by the Assembly. Sent to the Senate Veterans Affairs Committee for a vote on June 28.

LLP Position: Support.

SB 19 (Deborah Ortiz, D–Sacramento)

Purpose: To establish the California Pharmacy Assistance Program (Cal Rx). This bill would require the program to negotiate drug rebates with drug manufacturers in order to provide low-cost drugs to people on limited incomes but who have too much income to qualify for Medi-Cal. The program may be run by the state or a third-party vendor. This bill would establish a program for pharmacists or drug manufacturers to sell discounted drugs to California Rx participants.

Status: The bill is dead.

LLP Position: Support.

SB 23 (Carole Migden, D–San Francisco)

Purpose: To require the Employment Development Department to send informational brochures on the Healthy Families and Medi-Cal programs to employers for distribution to their employees. This bill would establish a system to allow employees to have the family contribution payments for healthcare coverage under the Healthy Families Program deducted from the employee's pay and transmitted to the state. This bill would require the state to do outreach and marketing on the Healthy families program and Medi-Cal to enroll more qualified participants.

Status: Approved by the Senate. Sent to the Assembly Health Committee for a vote on June 28. **LLP Position:** Support.

SB 24 (Deborah Ortiz, D–Sacramento)

Purpose: To require each private hospital to develop a written reduced-cost, charity care policy and application form and to provide these to patients. This bill would also limit debt collection activities of the hospital during the first 150 days after discharge of the patient.

Status: Died in the Senate Appropriations Committee. **LLP Position:** Support.

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Legislative Update

Continued from page 7

SB 26 (Dennis Hollingsworth, R-Temecula)

Purpose: To reduce state income taxes, effective January 1, 2003. This bill would eliminate them entirely beginning January 1, 2007.

Status: The bill is dead.

LLP Position: Oppose. This bill would devastate the state's public health and social services programs.

SB 60 (Gilbert Cedillo, D-Los Angeles)

Purpose: To allow certain undocumented immigrants to obtain drivers licenses in California. These licenses would permit them to drive legally. They would not be legal for identification purposes or for entering a federal building or an airplane.

Status: Approved by the Senate. Sent to the Assembly. Not assigned to a committee yet.

LLP Position: Support.

SB 100 (Richard Alarcon, D-Van Nuys)

Purpose: California ranks 51st among the states and the District of Columbia in the level of reimbursement per Medi-Cal payment to healthcare providers. This bill would state the Legislature's intent to increase the payment rate for Medi-Cal.

Status: The bill is dead.

LLP Position: Support.

SB 112 (Deborah Ortiz, D-Sacramento)

Purpose: The state Department of Social Services distributes funds from the federal Refugee Act of 1980 to the counties in California. These funds pay for employment-related and English language training programs to immigrant refugees in those counties. Currently the money is divided up by percentages of refugees on public assistance in each county. If 10% of the refugees statewide, who are on public assistance, live in County A, County A gets 10% of the funds. This bill would make the division of funds based on the same formula used by the federal government in distributing funds to the states. That is, distribution to the counties would be based on the proportion of refugees that each county receives whether or not they are all on aid.

Status: Approved by the Senate. Sent to the Assembly Human Services Committee for a vote on June 28.

LLP Position: Support.

SB 189 (Wesley Chesbro, D-Arcata)

Purpose: To require a healthcare service plan and health insurer to provide coverage for the medically necessary treatment of substance-related disorders, excluding caffeine-related disorders, on the same basis that coverage is provided for any other medical condition. The bill would authorize a plan and insurer to limit non-hospital residential care to 60 days per calendar year.

Status: The bill is dead.

LLP Position: Support.

SB 388 (Charles Poochigian, R-Fresno)

Purpose: To establish a one-year, pilot program in three unnamed jurisdictions to disseminate information regarding current prison penalties for the personal use of a firearm during the commission of certain felonies. Each county would be eligible for up to \$1 million in federal grant funds for the program.

Status: Approved by the Senate. Sent to the Assembly Public Safety Committee for a vote on June 21.

LLP Position: Probably support, pending naming of the jurisdictions.

SB 645 (Joe Dunn, D-Santa Ana)

Purpose: To create the Commission on the Unconstitutional Deportation of American Citizens during the 1930s. The bill would require the commission to gather facts regarding the removal and coerced emigration to Mexico of United States citizens and legal residents of Mexican descent between 1929 and 1944. Private donations would be solicited and the commission would not begin work until it is determined that sufficient private donations have been received. The bill would also establish the 1930s Reparations Fund in the General Fund, which would allow people who were wrongly forced out of the country during that time to seek damages in court.

Status: Approved by the Senate. Awaiting committee assignment in the Assembly.

LLP Position: Support.

SB 670 (Joe Dunn, D-Santa Ana)

Purpose: To express the apology of the State of California to those individuals who, from 1929 to 1944, were illegally deported, or coerced into emigrating, to Mexico as a result of the Mexican Repatriation Program, and to require that a plaque be placed and maintained in a public place to commemorate this event.

Status: Approved by the Senate. Sent to the Assembly Judiciary Committee for a vote on June 28.

LLP Position: Support.

SB 840 (Sheila Kuehl, D-Los Angeles)

Purpose: To make all California residents eligible for specified healthcare benefits under the California Health Insurance System, which would, on a single-payer basis, negotiate for or set fees for healthcare services provided through the system and pay claims for those services.

Status: Approved by the Senate. Sent to the Assembly. Not assigned to a committee yet.

LLP Position: Support.

SB 862 (Don Perata, D-Oakland)

Purpose: To increase the minimum wage in California.

Status: The bill is dead.

LLP Position: Probably support pending actual dollar amount.

SB 1071 (Tom McClintock, R-Thousand Oaks)

Purpose: To end automatic cost of living adjustments (COLAs) for people in CalWORKS. COLAs would occur only if approved by two-thirds of each legislative house in the annual budget bill.

Status: The bill is dead.

LLP Position: Oppose.

SCR 18 (Jim Battin, R-La Quinta)

Purpose: To proclaim November 2005 as California Indian Heritage Month, encourage its observance with activities that celebrate our uniqueness as Americans, and commend California Indian nations for their outstanding contributions to this state.

Status: Introduced.

LLP Position: Support.

SCR 22 (Jim Battin, R-La Quinta)

Purpose: To proclaim September 15 to October 15, 2005, inclusive, as California Hispanic Heritage Month, and encourage all Californians to observe this event in communities throughout the state.

Status: Introduced.

LLP Position: Support.

Women's Issues

AB 21 (Lloyd Levine, D-Van Nuys)

Purpose: To require that a pharmacist dispense prescription drugs and devices in a timely way unless to do so would violate the pharmacist's moral views or when the pharmacist views the prescription to be illegal or contraindicated for the patient. This bill prescribes the conditions under which the pharmacist may refuse to dispense the prescribed item.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a committee yet.

LLP Position: Oppose unless language allowing pharmacists to refuse to sell contraceptives is removed from the bill.

AB 59 (Rebecca Cohn, D-Campbell)

Purpose: To provide significant sentence enhancements for domestic violence committed when the accused knew that a child under the age of 18 was present.

Status: Failed in the Assembly Appropriations Committee.

LLP Position: Support.

AB 70 (Bill Maze, R-Visalia)

Purpose: To require the Department of Motor Vehicles to provide a new set of license plates to a registered owner of a vehicle who provides certain evidence of having been the victim of rape or sexual battery.

Status: Approved by the Senate Transportation Committee. Sent to the Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 96 (Rebecca Cohn, D–Campbell)
Purpose: To require a five-year sentence enhancement for any high-risk sex offender convicted of a felony, or who pleads no contest to one.
Status: The bill is dead.
LLP Position: Watch.

AB 99 (Rebecca Cohn, D–Campbell)
Purpose: To provide that restraining orders issued in domestic violence cases may have a duration of not more than five years (up from three years in current law) by the discretion of the court.
Status: Approved by the Senate Judiciary Committee. Awaiting a final vote on the Senate floor. **LLP Position:** Support.

AB 106 (Rebecca Cohn, D–Campbell)
Purpose: To require the courts of each county to establish a one-time amnesty program for fees, penalties, and assessments that were imposed in domestic battery cases, and that have been delinquent for not less than six months as of January 1, 2006. It would provide that the amount scheduled by the court be 70% of the total fees, penalties, and assessments and would set forth other parameters of the amnesty program.
Status: Died in the Assembly Appropriations Committee. **LLP Position:** Support.

AB 112 (Rebecca Cohn, D–Campbell)
Purpose: To require the courts to order priority for the enforcement of certain protective orders issued by the court. Priority would be given when an emergency protective order is issued based on the belief that there is imminent danger to the person or persons being protected. Also people being restrained by the order would be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a firearm while the protective order is in effect.
Status: Approved by the Senate Public Safety Committee. Sent to the Senate Rules Committee for possible assignment to another policy committee. **LLP Position:** Support.

AB 114 (Rebecca Cohn, D–Campbell)
Purpose: To provide that when a defendant is accused of child abuse in a criminal action, evidence of the defendant's prior acts of domestic violence may be admitted to prove the defendant's conduct.
Status: Approved by the Senate Public Safety Committee. Awaiting a final vote on the Senate floor. **LLP Position:** Watch.

AB 169 (Jenny Oropeza, D–Carson)
Purpose: To increase the penalties for employers who pay women less than men for the same work and to mandate the types of damages employees should recover if they are successful in bringing a civil action against their employer for willful violations of pay equity law.
Status: Approved by the Assembly. Sent to the Senate Labor Committee for a vote on June 22. **LLP Position:** Support.

AB 291 (Paul Koretz, D–West Hollywood)
Purpose: To require the state's maternal and child health program, operated by the state Department of Health Services, to require that pregnant women and new mothers be screened for postpartum mood and anxiety disorders, at designated intervals. This would require a physician or other healthcare practitioner to review and discuss the screening tool with the patient. The bill would require the physician or other healthcare practitioner to present the patient with an information sheet on postpartum mood and anxiety disorders.
Status: The bill is dead.
LLP Position: Support if amended to make the screening voluntary.

AB 322 (Jenny Oropeza, D–Long Beach)
Purpose: To enact the Athletes Bill of Rights and enumerate the rights available to a pupil relating to gender equity in athletics. The bill would require the State Department of Education to post the bill of rights on its Web site and require a school district that elects to offer competitive or club sports to its pupils to print and post posters setting forth the bill of rights in several locations in schools.
Status: Approved by the Senate Education Committee. Referred to the Senate Judiciary Committee. No hearing date set yet.
LLP Position: Support.

AB 429 (Judy Chu, D–Monterey Park)
Purpose: To make several changes to law which increase the chances that a protective order, resulting from workplace violence or domestic violence, are promptly served on the accused.
Status: Approved by the Senate Judiciary Committee. Referred to the Senate Public Safety Committee. No hearing date set yet.
LLP Position: Support.

AB 506 (Cindy Montanez, D–Mission Hills)
Purpose: To require each school district to establish a policy and protocol, including reporting procedures and response requirements, for dealing with teen dating violence, as defined, in middle schools and high schools. This would also require the State Department of Education to incorporate teen dating violence education curriculum into the health curriculum framework at its next revision.
Status: Failed in the Assembly Appropriations Committee.
LLP Position: Support.

AB 634 (Sally Lieber, D–Santa Clara)
Purpose: To require an international marriage broker to provide basic rights information to a foreign recruit in the recruit's native language. International marriage brokers would have to be licensed. The state would do criminal background checks on license applicants.
Status: Is a two-year bill. No action will be taken on it until 2006.
LLP Position: Support.

ACR 2 (Rebecca Cohn, D–Campbell)
Purpose: To proclaim the month of October 2005 as Domestic Violence Awareness Month.
Status: Introduced.
LLP Position: Support.

AJR 3 (Rebecca Cohn, D–Campbell)
Purpose: To petition the president and Congress to protect and uphold the intent and substance of the Supreme Court decision in *Roe v. Wade*, relating to reproductive rights, and to encourage all Americans to participate in the national celebration, "The March for Women's Lives," in recognition of that decision's historic importance in promoting women's rights.
Status: Awaiting a final vote on the Senate floor.
LLP Position: Support.

SB 180 (Sheila Kuehl, D–Los Angeles)
Purpose: To require hospital-based training centers to train medical personnel on how to perform medical evidentiary examinations for victims of human trafficking, and to develop guidelines for the reporting and management of it. The bill would also require that peace officers be trained in identifying signs of human trafficking.
Status: Approved by the Senate. Sent to the Assembly Public Safety Committee for a vote on June 21. **LLP Position:** Support.

SB 585 (Christine Kehoe, D–San Diego)
Purpose: To tighten the laws requiring someone to surrender any guns when he or she is the subject of a protective order in a domestic abuse case.
Status: Approved by the Senate Public Safety Committee. Died without a hearing in the Senate Appropriations Committee.
LLP Position: Support.

SB 615 (Liz Figueroa, D–Fremont)
Purpose: To require the state to do an education campaign aimed at promoting the awareness of Human Papillomavirus (HPV) and its link to cervical cancer. The program would be supported by private donations or appropriations by the legislature.
Status: Approved by the Senate. Sent to the Assembly Health Committee for a vote on June 21. **LLP Position:** Support.

SB 617 (Jackie Speier, D–Hillsborough)
Purpose: To establish the Gender Specific Standards for Women in Prison Task Force and charge it with evaluating certain conditions in all publicly and privately operated correctional institutions for women, and reporting on those conditions to the Secretary of the Youth and Adult Correctional Agency. The bill would require pregnant inmates to be housed separately and to receive specified care.
Status: Failed in the Senate Appropriations Committee.
LLP Position: Support.

HIV/AIDS Issue

Continued from page 3

The initiative would also sponsor and conduct an annual Summit on African-Americans and HIV that would be funded solely by private funds.

Initially, the Office of AIDS would appoint an internal advisory committee composed of the office's African-American HIV specialist and others to supervise the day-to-day activities of the Statewide African-American Initiative. It would be housed in the Office of AIDS, too, but the initiative would be mandated to establish itself as an independent, nonprofit organization by January 1, 2008.

The bill was amended on May 27 to provide that the requirements of the bill would be implemented "only to the extent that state, private, or federal funding, or any combination of these types of funding, is received for the purposes of this chapter."

The bill has passed the Assembly and was voted out of the Senate Health Committee on June 15. It is currently awaiting a hearing in the Senate Appropriations Committee. Please write to the Senate Appropriations Committee in support of this important bill. 

Legislative Update

Continued from page 9

SB 644 (Deborah Ortiz, D-Sacramento)

Purpose: To require that a pharmacist dispense prescription drugs and devices in a timely way unless to do so would violate the pharmacist's moral views or when the pharmacist views the prescription to be illegal or contraindicated for the patient. This bill prescribes the conditions under which the pharmacist may refuse to dispense the prescribed item.

Status: Approved by the Senate. Sent to the Assembly Business and Professions Committee for a vote on June 21.

LLP Position: Oppose.

SB 1030 (Dennis Hollingsworth, R-Murrieta)

Purpose: To state that California law does not require a business establishment to provide nonessential services to a member of the public, if doing so would violate one's conscience due to a sincerely held religious belief.

Status: The bill is dead.

LLP Position: Oppose. Author's office says this bill would allow a druggist to refuse to dispense prescription birth control medication. 

Women's Issue

Continued from page 3

wages, including interest, an equal amount as liquidated damages, and an amount equal to double the balance of the wages due as a civil penalty.

If it is determined that the employer willfully violated the law, it would be required to pay four times, instead of double, the balance of the wages due as a civil penalty. AB 169 would require that collected civil penalties be distributed 75% to the Division of Labor Standard Enforcement for enforcement and education on the law and 25% to the employee.

Opponents of this legislation may argue that federal law already prohibits wage and employment discrimination, so additional state laws are unnecessary and may hurt businesses. They also argue that, given time, free market forces should eliminate discrimination. In 1963, the year of the Equal Pay Act's passage, full-time working women were paid 59 cents, on average, to each dollar paid to men. This means that during the last 41 years, the wage gap has narrowed by less than a half-cent per year.

Enough is enough.

Although AB 169 passed in the Assembly earlier, it needs your help to pass in the Senate. Please write to the Senate Appropriations Committee and urge them to approve this bill when it comes before them.

Wage discrimination has gone on for too long. Women's civil rights are being violated and their economic well-being negatively impacted. A clear and strong message must be sent to those who exploit women that it will no longer be tolerated in California. 



AB 19: It's Not Over Yet!

Continued from page 1

We also have the ability to determine which of them live in the legislative districts of the 10 Democrats who voted the wrong way on AB 19. We are thinking of doing a major mailing to the registered domestic partners in those districts. The purpose of the mailing would be to encourage them to join Lambda Letters. This means that when next year's version of AB 19 comes up for a vote, we could bury those 10 Democrats in supportive mail. That might indeed turn this year's defeat into next year's victory.

But such a mailing would be expensive. Postage alone would cost \$370 for every 1,000 mailers we send. Whether or not we can do this depends in large part in finding the money to pay for it. We hope you will step up to the plate and make a generous donation to Lambda Letters right now.

To donate, just write a check to The Lambda Letters Project and mail it to: The Lambda Letters Project, 2528 Madison Ave., San Diego, CA 92116. Or you can make a donation directly by going to our web site at www.lambdaletters.org and clicking the Donations/Membership link.

Your donation could be the deciding factor in whether or not we get the right to marry next year. Please think about it. Is that important to you? If so, please make a generous donation today. 

LGBTI Issue

Continued from page 4

some kind of care to their loved one, including medication, hygiene, transportation, or comfort, and filling in for third-party care.

In other words, the employer can deny the request for leave if the employee wants to spend time with a sick family member.

SB 300 has already passed in the full Senate. It is currently pending in the Assembly Labor and Employment Committee. Please urge the appropriate committee member to support this crucial legislation and give it a fair chance on the Assembly floor. We have less than a month until the end of the 2004-05 legislative session. If this bill does not pass by the end of July, it does not become law.

Please help ensure that domestic partners, grandparents, siblings, and adult dependents have legal status as "family" and can be cared for by the ones who love them the most. 